



1645

Docket No. 1758-4036US2**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): MINETTI, C, et al.

Group Art Unit: 1645

Serial No.: 09/120,044

Examiner: S. Devi

Filed: July 21, 1998

**RECEIVED**

JUL 17 2001

For: MODIFIED IMMUNOGENIC PNEUMOLYSIN COMPOSITIONS AS VACCINES

TECH CENTER 1600/2900

**CERTIFICATE OF MAILING (37 C.F.R. §1.8(a))**Commissioner for Patents  
Washington, D.C. 20231

Sir:

I hereby certify that the attached:

1. Amendment and Response to Official Action (14 pages); and
2. Return Postcard.

along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner for Patents, Washington, D.C., 20231.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.Dated: July 9, 2001

By:

Darryl H. Steensma  
Darryl H. Steensma  
Registration No. 43,155

**Correspondence Address:**

MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, NY 10154-0053  
(212) 758-4800 Telephone  
(212) 751-6849 Facsimile

RECEIVED

JUL 17 2001

TECH CENTER 1600/2900

7/29/01  
JUL 13 2001  
*H29/6*  
*7/19/01*  
*Patent*

PATENT DOCKET NO. 1758-4036US2



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : MINETTI, C. et al. Art Unit : 1645  
Serial No : 09/120,044 Examiner : S. Devi  
Filed : July 21, 1998  
For: : MODIFIED IMMUNOGENIC PNEUMOLYSIN COMPOSITIONS AS VACCINES

**AMENDMENT AND RESPONSE TO OFFICIAL ACTION**

COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

In response to the Official Action mailed April 10, 2001, applicants present the following amendment and remarks. Claims 1-15, 27-26, and 31-34 are pending in the application. Applicants herewith cancel the pending claims and add new claims 35-64.

**AMENDMENT**

Please cancel claims 1-15, 22-26, and 31-34.

Please add the following claims.

*Subj* 35. A pneumolysin polypeptide comprising SEQ ID NO: 3, wherein the polypeptide is modified, refolded and has attenuated hemolytic activity, and wherein the polypeptide has at least one amino acid substitution in the region comprising amino acids 1 to 257.  
*EI*